

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JAMES LEE McPHADEN,

Plaintiff,

v.

JEFFERY S. THOMASON,

Defendant.

Case No. MS07-5003

ORDER OF DISMISSAL

James Lee McPhaden has filed a pleading entitled "Criminal Complaint" against the above captioned defendant. Mr. McPhaden is an inmate confined at the United States Penitentiary, Pollock, Louisiana. A private citizen cannot prosecute a criminal complaint. Accordingly, the above captioned action is DISMISSED, with prejudice.

DATED this 23<sup>rd</sup> day of May, 2007.



FRANKLIN D. BURGESS  
UNITED STATES DISTRICT JUDGE

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